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September 14, 2010

By ECF

Hon. Jack B. Weinstein
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Bannister
10 Cr. 53 (JBW)

Dear Judge Weinstein:

On behalf of my client, Darrell Bannister, I am writing with reference to the Order of the Court entered as ECF Document Number 161.

I request an opportunity to file a motion seeking relief from the statutory minimum sentence that would otherwise apply to my client on the ground that it would violate my client's constitutional rights. Because of the complexity and novelty of the issues raised in the articles referred to in the attachment to the Court's Order, and because of time constraints arising from other professional commitments as well from a previously-scheduled trip during October, I request that the Court set a briefing schedule under which the motion and supporting papers on behalf of my client will be due on or before October 29, 2010.

Respectfully,

/s/
Jeremy Gutman
Attorney for Defendant
Darrell Bannister